

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

S

United States of America

v.

Jack Eugene Carpenter III

Case No: 2:23-cr-20152

Hon. Mark A Goldsmith

F A L E D

JUL 10 2023

CLERK'S OFFICE
DETROIT

Appellant motion supplemental amendment

ECF 20 shows on Page 1 that the government does not have a reasonable belief of incompetence as they admit that Defendant may, in fact, be competent while asking the court for a psychiatric evaluation for the purpose of establishing a reasonable belief of incompetence: "Therefore moves the court to order that a competency evaluation ~~be conducted~~ be conducted, pursuant to 18 U.S.C §§ 4241-4247, to determine if there is reasonable cause to believe..." "... While it is certainly possible that Carpenter is competent." To point out the issue here, the government states that they want the competency evaluation TO establish a reasonable belief of incompetency, then admit that it's reasonable to assume defendant is competent. A reasonable belief requires that a prudent person observing the behavior of the defendant have an actual belief the person doesn't understand the proceedings or is unable to participate in their defense. Merely having beliefs the court feels are not rational are not evidence of either prong of incompetency. Nor is it appropriate for the court to assume legal claims are evidence of incompetency. Legal claims may or may not have merit, and claims lacking merit are made regularly by both the government and those they accuse.

In the case at hand, lawful rebellion also known as lawful international armed conflict are not only common but Congress has adopted rules for dealing with them. For the court to claim that one verified as lawful by the US State Dept in November 2022 as evidence of incompetency borders on the absurd. To make the point more obvious, if what defendant claims was done unlawfully, then it's not evidence of incompetency it's a violation of 18 USC 2383. Considering Defendant both called the US State Dept to confirm his actions as lawful, as well as tagged the offices of government that would arrest him for this crime asking bluntly if what he did was unlawful, then why was he not arrested for "unlawful rebellion", then not only is the court's position irrational, it is in violation of the law adopted by

Congress as well as in violation of International treaties. Legal claims are to be assessed by courts on the merits, not evaluated by psychiatrists. For some reason this absurd behavior became normalized as a method to harass people in the Sovereign Citizens movement and is being utilized in the same manner in this case. I am not sure how, when or why courts started equating claims of the law that the court feels are not "rational" from their perspective as being evidence of a reasonable belief of the high bar required to deem one as incompetent to stand trial, but this mechanism of protection ~~by the~~ designed for those whom are actually incompetent is clearly being abused by both the government and courts.

This is not the only issue of blatant misuse of the justice system by the government in this case, here is a running list of them to date:

1. I am not charged with a crime because that would be unconstitutional. I am charged with violating an administrative commercial regulation with a criminal punishment in the complete absence of any commercial activity.
2. I am charged with an enhancement commercial regulation with the word "crime" in the title that is not a crime, and can only serve to enhance my sentence while requiring me to forfeit any commercial proceeds from my commercial actions, but there are no commercial actions nor proceeds to forfeit.
3. I was falsely arrested by Michigan State Police (MSP) then released without seeing a magistrate. This is a crime committed against me. The FBI used a crime committed against me by a law enforcement agency as evidence I ~~committed~~ violated a commercial regulation.
4. MSP claimed to be investigating me for stealing my own firearm. The FBI used this as evidence I violated a commercial violation.
5. I reported to MSP that Jenelle Franklin committed Domestic Violence against me, and child abuse against my daughter, and that two sheriff offices refused to investigate that claim. MSP refused to investigate that claim as well. Jenelle filed a retaliatory PPO against me 1 month and 5 days after I fled Michigan. The FBI used that PPO as evidence I violated a commercial regulation.
6. The US Attorney falsely claimed I was "arrested in my car with half a dozen firearms" in my detention hearing for a commercial regulation. However, the FBI seized my car from private property without a warrant, then spent several days trying to get me to waive the right to not have it searched. Then somehow got a warrant to search it for evidence I sent a tweet from a phone they already seized. They found no evidence of a commercial violation in my car. However, the

Fact that I lawfully owned firearms seemed important in regards to this "not a public safety statute" regarding using commerce wrong, when nothing of any monetary value was exchanged because the federal government is trying to create a police power they don't have using the power to regulate commerce.

7. The US Attorney filed for a motion for competency claiming that facts easily verified by reading 21 CFR 312.7 were irrational to claim in order to cover up fraud by government officials.
8. The US Attorney filed for a motion for competency claiming that a legal claim the US State Dept verified as legally accurate in November of 2022 was an irrational legal claim. Maybe the people at the State Dept are crazy too?
9. The judge struck a motion in my case, then granted an order for competency claiming I never argued what I argued in the struck motion where I argued the US Attorney was acting in bad faith.

None of the above are mistakes or in good faith. They are abuses of law from the Justice Department in order to cover up massive fraud regarding the COVID injections by people loyal to a foreign government.

On June 6th Hon. Goldsmith referenced a motion I wrote where I requested to be heard in a hybrid fashion, and if that was not possible to be done while no jury was present then to proceed pro se. Had that motion been granted then the court would be aware of two obvious facts:

1. The record would reflect that I stated the motion for competency was not in good faith
2. I can participate in my own defense, and that assigned counsel was in fact impeding the best defense available.

In the motion I said that at that time I was not ready to claim ineffective counsel, maybe the law I was referencing was outside the specialty of my lawyer. After June 6th when my lawyer admitted to purposefully refusing ~~due to~~ personal beliefs I claimed ineffective assistance due to malice.

Points 3, 4, and 5 above do not in any way support the governments claim I sent a tweet in or affecting interstate or foreign commerce that violated the commercial regulation I am accused. The FBI used them to entice the magistrate to issue the

warrant for a violation of a commercial regulation using the regulation as a public safety statute, which emphasizes points 1 and 2. This forms the basis for the motions challenging subject matter jurisdiction as it shows that the statute either is a public safety statute posing as a commercial regulation or the FBI intended to use it as such, and the courts allowed it. Meaning it is either unconstitutional on its face, unconstitutionally applied in this case or both.

As I pointed out that the government stated I may be competent but they request a competency evaluation to establish a reasonable belief of incompetency. However, Jurisdictional challenges were raised regarding In Personam and subject matter jurisdiction which if found to be legitimate concerns, and jurisdiction is lacking, then competency is not relevant. This was brought up by defendant speaking as himself on June 6th, and the court recognized this procedural issue and requested defense counsel and the government put on the record facts regarding the issue of jurisdiction raised at that time by both parties, as the government claimed the challenge was evidence of incompetence (despite being informed the US State Dept confirmed the argument as legally valid in November of 2022 through acceptable electronic means). Unfortunately defense counsel refused to do so, creating this issue, and wasting my time and the courts time.

For these reasons I point out the clear Franks violation in the arrest warrant, which I will again point out was what first ^{mentioned} ~~pointed out~~ the challenge to jurisdiction, yet to be heard, but deemed irrational despite the defendant confirming ~~that~~ that it was lawful with the Federal government ~3 1/2 months prior to his arrest. At the time of this being written, we are at 135 days of the government doing the absolute most to avoid this fact reaching the record.

The government is aware that the defendant confirmed his behavior as lawful with the US government in November 2022, then posted on twitter tagging the FBI and DoJ challenging them to arrest him under 18 U.S.C 2383, Unlawful rebellion every day for the month of December. They arrested ^{IN February} him for a commerce charge using unrelated and irrelevant misrepresented facts. Then try to have him deemed incompetent for stating these facts. This behavior is clearly in bad faith.

I am an inmate confined in an institution. Today, July 4th 2023, I am depositing this Appellate motion supplemental Amendment in the FDC milan Detention center internal mail system.

Joah Cyprian

Jack Carpenter
NAME

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U.S. MARSHALS

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